UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD Washington, DC

FORTUNA ENTERPRISES, L.P., A DELAWARE LIMITED PARTNERSHIP D/B/A THE LOS ANGELES AIRPORT HILTON HOTEL AND TOWERS

Cases

31-CA-27837

31-CA-27954

31-CA-28011

and

UNITE HERE, LOCAL 11

COUNSEL FOR THE GENERAL COUNSEL'S
REQUEST FOR AN EXTENSION OF TIME TO FILE AN ANSWERING BRIEF
AND MOTION FOR PERMISSION TO EXCEED PAGE LIMIT

Pursuant to Sections 102.46 and 102.47 of the Board's Rules and Regulations, Counsel for the General Counsel hereby respectfully requests an extension of time to file an answering brief in this matter and to exceed the 50-page limit for the answering brief.

Counsel for the General Counsel requests a 29-day extension of time to file this answering brief based on the following three reasons. First, both of the attorneys who litigated this matter are currently unavailable. Attorney Nathan Laks retired in October 2008. Lead attorney Rudy Fong-Sandoval is on paternity leave, and will be until the third week in January 2009. Second, due to vacations over the holidays, several Regional attorneys will be unavailable to prepare the answering brief until early January 2009. Third, Respondent has raised 149 separate exceptions to the decision and recommended

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order of the Administrative Law Judge, and it will take considerable time for a newly assigned attorney to respond to these numerous exceptions. The answering brief is presently due on January 1, 2009; if this motion is granted, the answering brief will be due on Friday, January 30, 2009.

Counsel for the General Counsel also respectfully requests permission to exceed the 50-page limit for this answering brief. Given the numerous allegations, extensive record, and the large number of Respondent exceptions, we believe that we will require more than 50 pages to properly respond to Respondent's exceptions. Accordingly, we request permission to file a 70-page answering brief.

Dated at Los Angeles, California, this 23rd day of December 2008.

Respectfully submitted,

Brian D. Gee, Supervisory Attorney Counsel for the General Counsel

National Labor Relations Board

Region 31

11150 West Olympic Blvd., Suite 700

Los Angeles, CA 90064

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

Fortuna Enterprises, L.P., a Delaware, Limited Partnership d/b/a The Los Angeles Airport Hilton Hotel and Towers

and

Case Nos. 31-CA-27837 31-CA-27954 31-CA-28011

UNITE HERE Local 11

DATE OF MAILING December 23, 2008

AFFIDAVIT OF SERVICE OF:

COUNSEL FOR THE GENERAL COUNSEL'S REQUEST FOR AN EXTENSION OF TIME TO FILE AN ANSWERING BRIEF AND MOTION FOR PERMISSION TO EXCEED PAGE LIMIT.

I, the undersigned employee of the National Labor Relations Board, being duly sworn, depose and say that, on the date indicated above, I served the above-entitled document(s) by postpaid mail upon the following persons, addressed to them at the following addresses:

SERVED BY CERTIFIED MAIL:

SERVED BY REGULAR MAIL:

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Staff Attorney UNITE HERE, Local 11 464 South Lucas Ave., Suite 201 Los Angeles, CA 90017

Subscribed and sworn to before me this 23rd

day of December, 2008

DESIGNATED AGENA

NATIONAL LABOR RELATIONS BOARD